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PATENT APPLICATION ATTORNEY DOCKET NO. \_ 10011180-1

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):

Thomas A. Saksa

Confirmation No.: 5070

Application No.: 09/940,363

Examiner: Amy R. Cohen

Filing Date:

Aug. 27, 2001

Tîtle:

MEASUREMENT AND MARKING DEVICE

APR 1 6 2003

**TECHNOLOGY CENTER 2800** 

COMMISSIONER FOR PATENTS Washington, D.C. 20231

## REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application. NOTE: 37 CFR 1.114 is effective on May 20, 2000. If the above-application was filed prior to May 29, 2000, applicant may wish to consider filling a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Fule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

#### Submission under 37 CFR 1.114

	(X) F	Previously submitted:  (X) Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on March 19, 2003  (Any unentered amendment(s) referred to above will be entered).	
		) Consider the arguments in the Appeal Brief or Reply Brief previously filed on	
/24/2003 TOKON1 FC:1801	750.00 CH	Polizaci: 09940363 ) Amendment/Reply ) Affidavit(s)/Declarations(s) ) Information Disclosure Statement (IDS) ) Other	
	(	Miscellaneous  Suspension of action is requested under 37 CFR 1.103(c) for a period of months.  The fee for this Suspension Is (37 CFR 1.17(l)) \$130.00  Other	

(X) RCE filing fee \$750.00



#### CONTINUED EXAMINATION TRANSMITTAL (RCE) (37 CFR 1.114) (continued)

ATTORNEY DOCKET NO. 10011180-1

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( )		A Petition for Extension of Time				
•	٠	()	one month	\$110.00		
		()	two months	\$410.00		
		( )	three months	\$930.00		
		()	four months	\$1450.00		

Please charge to Deposit Account 08-2025 the sum of \_\_\_\_\_ At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

(X) A duplicate copy of this transmittal letter is enclosed.

(	)	I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mall in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231. Date of Deposit:
		20231. Date of Deposit.
		OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile \_\_ on <u>April 16, 2003</u> number (703) 872-9319

Number of pages: 3

Typed Name: Scott-A. Lund

Signature

Respectfully submitted,

Thomas A. Saksa

Scott A. Lucti

Aftorney/Agent for Applicant(s)

Reg. No. 41,166

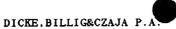
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## FAX TRANSMITTAL COVER SHEET

No. of pages: 3 (including this page) Date: April 16, 2003

To: Amy R. Cohen

Company: USPTO

Your Ref.: 09/940,363

Fax No.: (703) 872-9319

Phone No.: (703) 305-4972

From: Scott Lund

Re: RCE

Our Ref.: 10011180-1

H301.208.101

Phone No.: 612-573-2006

The following documents are being facsimile transmitted to the U.S. Patent and Trademark Office:

Request for Continued Examination containing certificate of mailing (2 FAX RECEIVED pgs.).

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